



Providence City

15 South Main Street
Providence, UT 84332
(435) 752-9441 • Fax: (435) 753-1586

PROVIDENCE CITY PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Project Type: Code Amendment

Applicant: Providence City

Project Description: Proposed code amendments to Providence City Code Title 10 Zoning Regulations, Chapter 4 Establishment of Districts, establishing regulations for Commercial Neighborhood District by adding Section 6 Commercial Neighborhood District; and a proposed code amendment to Providence City Code Title 10 Zoning Regulations, Chapter 6 Use Regulations including uses in the CND.

Hearing Date: November 18, 2015

Hearing Time: 6:00 p.m.

Hearing Location: Providence City Office Building, 15 South Main, Providence UT

Prior to making a recommendation on the proposed code amendments, the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken. The Planning Commission invites you to attend the hearing in order to offer your comments.

If you are disabled and/or need assistance to attend the public hearing, please call 752-9441 before 5:00 p.m. on the day of the meeting.

Thank you,

Skarlet Bankhead
City Administrator/Recorder

Newspaper Publication Date(s): Friday, November 6, 2015

Posting Date: 11/04/2015

Posting Locations:

1. Providence City Office Building, 15 South Main
2. Also posted on www.providencecity.com and the Utah Public Notice Website

10-4-6: Commercial Neighborhood District (CND)

- A. Purpose: To provide for small scale, day-to-day convenience shopping and services for residents of the immediate neighborhood.
 - 1. The CND is intended for small sites in or near residential neighborhoods.
 - 2. The district encourages the provision of small scale retail and service uses for nearby residential areas, and other uses which are small scale and have little impact. Uses are limited in size to promote a local orientation and to limit adverse impacts on nearby residential area.
- B. Development Standards:
 - 1. Development will be predominantly pedestrian-oriented, creating a traditional neighborhood character with the entrances of the structures facing public streets.
 - 2. Development is intended to be compatible with the scale of surrounding residential areas. Parking areas are restricted, since their appearance is generally out of character with the surrounding residential development and the desired orientation of the uses.
 - 3. Parking is not permitted between the structure and the street in a CND zone (except in a traditional driveway). CND is intended for neighborhood traffic and shall be designed at pedestrian scale.
 - 4. Landscaping buffers shall be provided between parking areas and adjacent residential properties. Additional landscaping may be required to buffer adjacent residential properties.
 - 5. For purposes of business identification the following sign types may be used: blade, ground, and monument. Ground and monument structures shall be no larger than 32 square feet. Animated signs are prohibited. A sign meeting the home business regulations may also be used.
 - 6. Amplified sound. See Title 4 Chapter 9 of the Code.
 - 7. Preservation of existing historic structures is encouraged.
- C. Procedure:
 - 1. Changing to a CND zoning district. See Section 2.C of this Chapter.
 - a. A request for CND zoning shall also include a concept site plan and a market analysis which provides an analysis of supportable commercial space that verifies the demand for commercial use.
 - b. A CND development may occur in, and adjacent to, residential areas so long as it is compatible with, and makes a smooth transition to, the surrounding neighborhood.
 - 2. Site plan approval. The Administrative Land Use Authority (ALUA) shall be the land use authority for approval of site plans within the CND.
 - a. If the site is within the Historic Preservation District, the Historic Preservation Commission shall review the site plan and make recommendation to the ALUA.
 - b. The setback and lot size regulations of the surrounding residential zone shall be used to provide compatibility with the neighborhood.
 - c. CND shall be limited to parcels located at least 500 feet away from other CND zoned properties.
 - d. Ground floor (building(s) footprint) commercial areas shall be limited to 3,000 square feet.
 - e. See 10-8-5:A. for site plan requirements

CHAPTER 6

USE REGULATIONS

SECTION:

10-6-1: Use Chart

10-6-2: Classification of New and Unlisted Uses

10-6-1: **USE CHART:** Land and buildings in each of the zoning districts may continue to be used, but no land shall herein after be used, and no building or structure shall hereinafter be erected, altered or converted which is arranged, designed or used for other than those uses specified for the district in which it is located as set forth by the following use chart and indicated by:

P = permitted use

C = conditional use permit required

X = special review required

I = Allowed only as a conditional use when incidental to a retail business with more than 15,000 square feet of floor area and:

- incidental to a single use (i.e.: a bank is incidental to retail business, not multiple businesses); and
- a department store, grocery store, health fitness center, or other retail business may have more than one incidental use associated with it; and
- the combined total of all incidental uses associated with a building may not exceed 12% of the gross square footage of the building or 6,000 sq ft whichever is less (administrative offices, restrooms, storage areas, and other enmities necessary for the operation of the retail business are not considered incidental uses) ; and
- cannot be a stand alone building (an unoccupied drive through structure(s) and/or fueling pads will be counted as part of the 12% but not included in the 6,000 sq ft cap of the incidental use); and
- must share the same public entrance(s); and
- a permitted business is not considered an incidental use; and
- incidental use must have its own business license unless owned and operated by the primary retail business.

= not permitted (absence of symbol)

If a use is not specifically designated, it is prohibited.

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
A.	Residential Uses																
1	Single family, detached	P	P	P	P	P	P	P	P	P			C			P	
2	Single family, attached					P	P	P		P	P	P				P	
3	Dwelling, two family									P	P	P				P	
4	Dwelling, three family									P	P	P				P	
5	Dwelling, four family									P	P	P				P	
6	Dwelling, multi-family											P				P	
7	Manufactured/modular	P	P	P	P	P	P	P	P	P	P	P				P	
8	Mobile/trailer home								P								
9	Secondary residential structure (OM 005-2005 01/13/04)	C	C		C												
10	Cluster development			C	C	C	C	C	C	C	C	C				C	

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
11	Inner block development		C	C	C											C	
12	Planned Unit Development	C	C	C	C	C		C	C	C	P	P				C	
13	Bed & Breakfast	C	C	C	C	C							C	C		C	
14	Hotel/motel											C	C	C		C	
15	Lodging house									C	C	C	C	C		C	
16	Residence for persons with disabilities		P	P	P	P	P	P	P	P	P	P				C	
17	Residential facility for the aged		P	P	P	P	P	P	P	P	P	P				C	
B.	Accessory/Incidental Uses																
1	Accessory building	P	P	P	P	P	P	P		P	P	P	P	P	P	P	
2	Accessory dwelling unit	C	C		C	C	C									P	
3	Accessory farm building	P	P	P	P	P											
4	Off street parking incidental to main use	P	P	P	P	P	P	P		P	P	P	P	P	P	P	
5	Private swimming pool	P	P	P	P	P	P	P		P	P	P	P	P		P	
C.	Governmental/Institutional/Special Services																
1	Church	P	P	P	P	P	P	P	P	P	P	P					
2	Ministers, rabbis, priests, and other similar ordained religious work	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P				
3	Community center	P	P	P	P	P	P	P	P	P	P	P	P	P			
4	Day care nursery	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	I or C*	C	
5	Preschool	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P			C	
6	Public Park	P	P	P	P	P	P	P	P	P	P	P				P	P
	Private Lessons / public facility																C
7	Public School (OM 020-2004)	P	P	P	P	P	P	P	P	P	P	P					
8	Public building	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P
D.	Utility and Related Service																
1	Electric substation	C	C														
2	Electric power plant	C															
3	Fire station	P	P	P	P	P	P	P	P	P	P	P	P	P		P	
4	Gas meter station	P	P	P	P	P	P	P	P	P	P	P					
5	Irrigation supply	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6	Utility distribution lines	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
7	Radio/TV/cellular tower													C			C
8	Sewage/water pumping station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9	Telephone utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
10	Public utilities, other	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
11	Utility shop, storage and bldgs	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12	Water treatment plant	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13	Water well reservoir or storage tank	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
E.	Professional Services																
1	Business office,	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C			P	

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
	medium impact												P				
2	Business office, low impact	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P			P	
3	Business office, general												C	P	I or C*	P	
4	Clinic, dental												C	P	I or C*	P	
5	Clinic, medical												C	P	I or C*	P	
6	Clinical Social Worker												C	P	I or C*	P	
7	Office for single physician, dentist, or chiropractor	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P		I or C*		
8	Licensed professional	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C	P	I or C*	P	
9	Mortuary	C^	C^	C^					C^	C^	C^	C^	C	P		P	
10	Optical shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C	P	I or C*	P	
11	Pharmacy	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C	P	I or C*	P	
12	Private school, teaching, tutoring(1 or 2 students at a time)	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^					
13	Private school, teaching	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C	P		P	
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^	P				
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C	P	I or C*	P	
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^	P				
14	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^	P				
15	Veterinarian^	C^	C^	C^					C^	C^	C^	C^	P C	C		P	
F.	Retail/Related Uses																
1	Adult oriented business													C			
2	Food preparation, catering, etc	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	P	C
3	Bakery/Confectionery sales												P	P	P	P	
4	Barber/beauty shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	P	
5	Book/Stationery Store												p	p	p	P	
6	Computer Store												p	p	p	P	

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
7	Department store													p	p	P	
8	Florist Store												p	p	p	P	
9	Furniture Store													p	p	P	
10	Specialty Store/Shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P		P		
11	Grocery store	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	p	p	p	P	
12	Hardware store													p	p	P	
13	Home & Garden store												p	p	p	P	
14	Laundry/dry cleaning store												p	p	p	P	
15	Liquor store (OM 015-2004)													p	p	P	
16	Music Store												p	p	p	P	
17	Paint Store													p	p	P	
	Pet Grooming	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	P	
18	Pet Store												C	p	p	P	
19	Restaurant/fast food												p	p	p	P	
20	Shoe repair	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	p	p	p	P	
21	Small appliance repair	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	p	p	C	
22	Variety Store												p	p	p	P	
23	Commercial complex												p	p	p	P	
24	Shopping center													p	p	P	
25	Tire sales, retail (OM 001-002, 02/27/01)													c	P		
26	Yard sales on an occasional basis	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^					
G.	Commercial/Related Uses																
1	Auto Sales – New & Used (OM 016-2004 05/11/04)													P	P		
2	Auto Sales –Used (OM 016-2004 05/11/04)																
3	Auto wash												P	P	P		
4	Bank/financial													C	I or C*	P	
5	^^^Nondepository Financial Institutions													P	I or C*		
6	Building materials													P	P		
7	Dance hall																
8	Gasoline/petroleum storage (not bulk)	C	C	C	C								C	C	C		
9	Gasoline sales/service												P	P	P		
10	Fitness Center Commercial (Gym)												C	P	P	P	
11	Convenience store												P	P	P		
12	Night club																
13	Print shop/sales	C^	C^	C^	C^	C^	C^	C^					P	P	P	P	
14	Recreation/Entertainment													P	I or C*		
15	Research facilities	C^	C^	C^	C^	C^	C^	C^				P					
16	Theater													P	P	P	
17	Vehicle storage																
H.	Industry and Manufacturing																
1	Auto repair, paint and body shop																
2	Bldg maintenance & repair services																

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
3	Cabinet Shop																
4	Clothing Manufacturer																
5	Furniture Manufacturer																
6	General contractor yard																
7	HVAC shop/sales																
8	Ice cream plant																
9	Lumber yard													P			
10	Paint Shop													P			
11	Welding/machine Shop													C			
12	Wholesale outlet/storage and sales													P			
13	Light Manufacturing													C			
14	Motorcycle, Snowmobile, ATV, etc repair	C^	C^	C^	C^	C^	C^	C^	C^								
I.	Agriculture and Related Uses																
1	Beekeeping 4 or less colonies	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^
C^^ 1A	Beekeeping More than 4 colonies	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^
2	Breeding or raising animals for sale, food, pleasure, or profit	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^											
3	Keeping dogs, cats, fish, or exotic caged birds	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^^	P^ ^	C	C	I	P	
4	Commercial crop production	P	P	P													
5	Dairy business	P^ ^	P^ ^	P^ ^													
6	Feed lot	C															
7	Gardens and orchards for home use	P	P	P	P	P	P	P	P	P	P	P				P	
8	Ranch/farm production and operation	P	P														
9	Garden and greenhouse plants and produce for wholesale or retail sales OM-007-2006 05/23/2006	C^	C^	C^	C^	C^	C^	C^	C^				P				

^Use is allowed as a permitted or conditional use only if it is a home business, child care business or nonconforming business that complies with Title 3, Chapter 4 of this Code, Conditional Businesses

^^Must conform to Title 5 Chapter 10 of this Code, Animal Regulation and Control.

^^^Nondepository financial institutions are businesses that conduct transactions of cashing a check for consideration or extending a deferred deposit loan and shall include any other similar types of businesses licensed by the State of Utah pursuant to the check cashing and deferred deposit lending registration act. Nondepository financial institutions shall be limited by the population of all residents in Providence City. The total population figures shall be based on the US Census Bureau's annual estimates. Only one nonfinancial institution shall be allowed for a population of 0 – 7,000. and 1 per 7,000 thereafter.

*The following conditions apply to a non-sales tax generating business (NSTGB) located in the CHD zone:

1. The combined total of all NSTGB will be limited to no more than 15% of the combined existing gross leasable space (GLS) of buildings in the project area; the GLS of a building is based on the

square footage of the ground floor; upper levels are not included in the combined totals for or against the 15% limitation.

2. The project area is the approved preliminary plat.
3. Incidental uses in the project area are not computed in the 15% limitation.
4. NSTGB may be in a free standing building of its own or part of a multi-tenant building with separate outside entrances for the public.

10-6-2: CLASSIFICATION OF NEW AND UNLISTED USES:

A. Request; Referral: Requests for a new use or unlisted conditional use shall be referred to the Planning Commission chairperson for consideration by the Planning Commission. Applications for a new use and unlisted conditional use will be processed in accordance with the procedures listed in subsection 10-3-5:C of this Title to determine if such use should be permitted and added to the current list of approved uses. The Planning Commission shall forward to the City Council a recommendation to accept or reject the request. The Planning Commission shall also forward, with any recommendation for approval of a new use, the necessary ordinance amendments to implement the use.

B. City Council Action: The City Council will approve or disapprove the recommendation. Upon approval, the Process will be started to amend the necessary City ordinances in accordance with the procedures outlined for ordinance amendments and changes. (Ord., 7-23-1996)